

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Grant THOMSON et al
Title: SPECTROMETER APPARATUS
Appl. No.: Unassigned
Filing Date: Herewith
Examiner: Unassigned
Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English and were cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the Examiner.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 3, 2006

By Michael D. Kaminski

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: March 3, 2006 <i>(use as many sheets as necessary)</i>				Complete if Known	
Sheet	1	of	1	Application Number	Unassigned
				Filing Date	Herewith
				First Named Inventor	Grant THOMSON
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket Number	041129-0117

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,416,573		Sartor, Jr.	05/16/1995	
	A2	2002/0126290	A1	Naya	09/12/2002	

U.S. PATENT APPLICATION DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Application Document		Name of Patentee or Applicant of Cited Document	Filing Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Serial Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A3	WO	02/073171	A1	Biacore AB	09/19/2002		T

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ⁶

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 808. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

INTERNATIONAL SEARCH REPORT

national Application No
T/682004/003607

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 G01N21/55 G01J3/28

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 G01N G01J

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, INSPEC

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/126290 A1 (NAYA MASAYUKI) 12 September 2002 (2002-09-12) figure 1 paragraph '0053! - paragraph '0064!	1-10
X	US 5 416 573 A (SARTOR JR THOMAS F) 16 May 1995 (1995-05-16) figure 3 column 6, line 1 - line 45	1-10
X	WO 02/073171 A (BIACORE AB ; IVARSSON BENGT (SE)) 19 September 2002 (2002-09-19) figure 2 page 17, line 9 - page 18, line 21 claims 1-7,32 page 12, line 3 - line 9	1-10

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the International filing date

L document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the International filing date but later than the priority date claimed

T later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

Z document member of the same patent family

Date of the actual completion of the International search

18 November 2004

Date of mailing of the International search report

26/11/2004

Name and mailing address of the ISA

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INTERNATIONAL SEARCH REPORT

International Application No
T/GB2004/003607

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 2002126290	A1	12-09-2002	JP 2002221488 A JP 2002357544 A	09-08-2002 13-12-2002
US 5416573	A	16-05-1995	NONE	
WO 02073171	A	19-09-2002	EP 1370850 A1 JP 2004527741 T WO 02073171 A1 US 2002154311 A1	17-12-2003 09-09-2004 19-09-2002 24-10-2002